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**Remarks:**

The amendments and remarks presented herein are believed to be fully responsive to the Final Office Action dated July 20, 2004. A Request for Continued Examination is filed herewith.

Claims 1-25 are pending in the application. Claims 1 and 16 have been amended as set forth above and claims 26-89 have been canceled without prejudice. The amendments are fully supported in the specification and drawings as originally filed. No new matter has been added.

**WITHDRAWN CLAIMS**

Claims 26-89 were withdrawn from consideration by the Examiner as being drawn toward a non-elected invention. Applicants have canceled claims 26-89 without prejudice so that these claims may be pursued in a divisional application in the future.

**ALLOWED CLAIMS**

Claims 2-4, 8-11 and 22 are allowed.

**INTERVIEW CONDUCTED ON OCTOBER 5, 2004**

The undersigned attorney wishes to express his gratitude to Examiner Rodriguez for the courtesies extended to the undersigned during the interview at the Patent Office conducted on October 5, 2004. At the interview, the undersigned attorney was provided the opportunity to discuss with the Examiner the nature of Applicants' invention and the manner in which it distinguishes over the cited prior art references, namely, Soldavini, U.S. Patent No. 6,209,703.

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### CLAIM REJECTIONS

Claims 1, 5, 6, 13, 16-18, 20 and 23 were rejected under 35 U.S.C. §102(b) as being anticipated by Soldavini, U.S. Patent No. 6,209,703. Claims 7, 12, 19 and 21 were rejected under §103(a) as being unpatentable over Soldavini, in view of Lund, U.S. Patent No. 4,244,672. Claims 14, 15, 24 and 25 were rejected under §103(a) as being unpatentable over Soldavini, in view of Okada, U.S. Patent No. 5,547,084.

Applicants respectfully traverse the rejections under 35 U.S.C. §102(b) and §103(a) for the reasons set forth below.

Applicants have amended independent claim 1 to clarify that the articles include blocked articles that are arranged on the induct in a manner that will cause at least a partial blocking condition, and that the method includes resolving at least partial blocking conditions between the blocked articles. Applicants have also amended independent claim 16 in a similar manner.

Contrary to the claimed invention, Soldavini discloses a method and apparatus for the sorting of objects that may sort the objects via conveying the objects along a pair of sorting belts of an induct or sorting line. The method and apparatus of Soldavini identifies the destinations of objects loaded onto the sorting line and shifts one or more objects to an upstream loading belt or a downstream loading belt. If the objects are arranged on the sorting line in the desired order (as shown in Fig. 3b of Soldavini), the objects may be arranged on the loading belts for loading onto the platform in the desired order. In such a situation the articles are not arranged in a manner that will cause at least a partial blocking condition, and there is no resolving of partial blocking conditions between the articles. If the objects are not in the desired order on the sorting line (as shown in Fig. 3a of Soldavini), or are arranged on the sorting line in a manner that will cause a blocking condition, the Soldavini method and apparatus may change the loading order of the objects as they are conveyed along the sorting line by moving a second one of the objects to the upstream

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loading belt to load that second object onto the platform before the first object on the downstream loading belt. In such a situation the objects are not loaded to the platforms in the order in which they are fed to the sorting line.

Applicants thus submit that the method and apparatus of Soldavini does not move objects that are arranged in a manner that will cause a blocking condition along the sorting lines and does not load such blocked objects onto the platforms in the order in which such objects are fed to the sorting lines. To the contrary, the method and apparatus of Soldavini functions to change the order of the blocked objects as they are moved along the sorting line and/or to move non-blocked articles along the sorting line without resolving at least partial blocking conditions between the objects. In other words, the objects on the Soldavini method and apparatus are loaded in the order in which they are arranged on the sorting line only when the objects are in the desired order and no blocking or partial blocking condition exists between the objects and, thus, no resolving of at least partial blocking conditions occurs.

The apparatus of Soldavini thus either moves the articles along the induct and loads the articles in that order for non-blocked articles where no resolving of partial blocking conditions occurs, or rearranges the articles on the induct so that the articles are not loaded in the order in which they are fed to the induct. In neither situation does the Soldavini apparatus and method load the articles in the fed order and resolve partial blocking conditions between the articles.

In stark contrast to the Soldavini apparatus and method, the method of the present invention functions to move articles, including blocked articles that are arranged on the induct in a manner that will cause at least a partial blocking condition, along an induct in the order in which the articles were fed to the induct. The articles are then loaded to the transport units in the order in which the articles were fed to the induct. The method resolves the at least partial blocking conditions between the articles and does not rearrange the loading

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order of the articles, including the blocked articles, while the articles are moved along the induct.

Accordingly, Applicants respectfully submit that Soldavini, either alone or in combination with any other prior art of record, does not disclose, teach, suggest or render obvious the method of the present invention, particularly as set forth in independent claims 1 and 16 and in the claims depending therefrom. Reconsideration and withdrawal of the rejections of claims 1, 5, 6, 13, 16-18, 20 and 23 is respectfully requested.

With respect to the rejections of claims 7, 12, 14, 15, 19, 21, 24 and 25 in view of the combination of Soldavini and Lund or the combination of Soldavini and Okada, Applicants respectfully submit that these claims are dependent on independent claims 1 and 16 and thus are also in condition for allowance for at least all of the reasons set forth above.

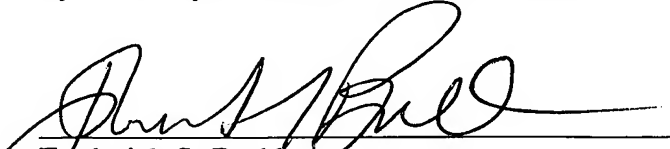
Claims 1-25 remain pending in the application. Claims 1 and 16 have been amended above and claims 26-89 have been canceled without prejudice. Applicants respectfully submit that claims 1-25 are in condition for allowance and a notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn & Burkhart, LLP

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